



# MACo LEGISLATIVE UPDATE

VOLUME 20, NO. 2

January 2, 2009

The Montana Association of Counties (MACo) publishes this **weekly** bulletin containing summary descriptions of bills of interest to local government officials. **Each issue lists only the bills that have been introduced during the week. Please save this message or print it for future reference.**

Copies of bills are typically sent to County Clerks and Recorders and also can be found at: [http://laws.leg.mt.gov/laws09/LAW0200W\\$.Startup](http://laws.leg.mt.gov/laws09/LAW0200W$.Startup)

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Many legislators have their own e-mail addresses, which can be found at  
<http://leg.mt.gov/css/sessions/61st/roster.asp?HouseID=0&SessionID=94>

## MACo & the Montana Legislature

The MACo Web site has a page at <http://www.maco.cog.mt.us/Legislature/Legislative.htm> dedicated to helping members keep track of the happenings at the 61th Montana Legislature. There you'll find MACo's resolutions, links to pertinent bills, an archive of our weekly *Legislative Updates*, links to bills and bill status reports, hearings calendars, committee listings, legislator contact information, and more.

## Scheduled Hearings

The Senate Local Government Committee meets Mondays, Wednesdays, and Fridays at 3 p.m. in Room 405. The House Local Government Committee meets Tuesdays and Thursdays at 3 p.m. in Room 172. MACo bills are shown below in **bold**.

### **Wednesday, Jan. 7**

	<b>Room</b>	<b>Time</b>
SB 7 Code commissioner bill	335	3 p.m.
SB 11 Clarify nontaxable amount of gross value of product-metal mines tax	405	9:30 a.m.
SB 21 Clarify distribution of certain motor vehicle revenue	405	9:30 a.m.
SB 24 Repeal Montana Consensus Council statutes	335	3 p.m.
<b>SB 30 Revise reimbursement for meals, lodging</b>	<b>335</b>	<b>3 p.m.</b>
SB 35 Committing jurisdiction forward physical and mental health information to prison	303	8 a.m.
SB 40 Clarify friend of respondent in involuntary commitment laws	303	8 a.m.
SB 42 Provide substitution procedure for work comp judge	422	9 a.m.
SB 45 Clarify prosecutorial disclosure requirements	303	8 a.m.
SB 48 Standardize statutes related to tax increment finance districts	405	9:30 a.m.
<b>SB 57 Revise laws governing special districts</b>	<b>405</b>	<b>3 p.m.</b>
<b>SB 58 Revise local government laws</b>	<b>405</b>	<b>3 p.m.</b>
HB 101 Extend deadlines related to wage withholding in cases of theft	172	8 a.m.
HB 116 Clarify proof of insurance for motor vehicles	172	8 a.m.
HB 151 Revise breast reconstruction mandate to comply with federal law	172	8 a.m.

### **Thursday, Jan. 8**

	<b>Room</b>	<b>Time</b>
SB 55 Generally revise fertilizer laws	335	3 p.m.
SB 64 License plate for volunteer EMT and tax credit	405	3 p.m.
SB 88 Revise and clarify school speed zone law	405	3 p.m.

### **Friday, Jan. 9**

	<b>Room</b>	<b>Time</b>
SB 3 Revise procedures for Land Banking program sales and exchanges	422	3 p.m.

## Scheduled Hearings, cont.

### Friday, Jan. 9

		<b>Room</b>	<b>Time</b>
SB 12	Clarify distribution of oil and gas revenue to counties	405	9:30 a.m.
SB 23	Revise revenue streams to oil, gas, and coal natural resource account	405	9:30 a.m.
SB 50	Revise salaries for supreme court justices and district court judges	303	8 a.m.
HB 35	Revolving loan program to fund recycling machinery and equipment	472	3 p.m.

## Projected Session Calendar

**Please note:** This calendar was revised by legislative leadership Dec. 4, 2008; leadership holds the authority to further revise the schedule, including the days the Legislature meets and the proposed breaks.

**Introduction deadlines:** Generally, bills and resolutions must be introduced within two legislative days after delivery. JR 40-50, H40-10.

**“General bills”** is used to denote all bills, except appropriation or revenue bills, and all joint resolutions.

**Notes:** Deadline dates are determined according to legislative days, using a six-day legislative week.

Certain bills and resolutions relating to administrative rules may be transmitted at any time during the session. JR 40-200(3).

Jan. 5:	61 <sup>th</sup> Legislative Session begins
Jan. 16:	Last day to request General Bills
Jan. 24:	Last day to request Revenue Bills
Feb. 16:	Last day for Committee to request General Bills
Feb. 26:	Transmittal of General Bills to other Chamber
Feb. 27-28:	Transmittal Break
March 18:	Transmittal of Revenue-Estimating Joint Resolutions
March 20:	Last day for Committee to request Revenue Bills
March 26:	Transmittal of Appropriation Bills
March 31:	Transmittal of Revenue Bills
April 2:	Transmittal of amendments to General Bills
April 4:	Last day to request Study Resolution or Committee Bills to implement HB2
April 14:	Transmittal of amendments to Appropriation Bills
April 16:	Transmittal of amendments to Revenue Bills and Revenue-Estimating Joint Resolutions
April 20:	Transmittal of Interim Study Resolutions
April 25:	Session adjourns; Sine Die

## MACo Resolutions/Legislation

No.	Title	Res. No.	Sponsor	Status-Date
<a href="#">HB 18</a>	Mail ballot pilot project	2008-23	Ingraham	Referred to committee-12/12
<a href="#">HB 38</a>	Revise laws to reflect passage of six-mill levy	2008-22	Campbell	Referred to committee-12/12
<a href="#">HB 45</a>	Compliance w/ federal law for forest reserve payments	MACoBd	Ingraham	Referred to committee-12/12
<a href="#">HB 57</a>	Clarify school district consolidations/annexations	2008-29	Bean	Referred to committee-12/12
<a href="#">HB 156</a>	Uniform penalty/enforcement for zoning violations	2004-28	Pomnichowski	Referred to committee-12/23
<a href="#">SB 30</a>	Revise reimbursement for meals, lodging	MACoEC	Gebhardt	Hearing-1/7
<a href="#">SB 57</a>	Revise laws governing special districts	2008-33	Gillan	Referred to committee-12/10
<a href="#">SB 58</a>	Revise local government laws	2008-33	Gillan	Referred to committee-12/10
<a href="#">SB 78</a>	Clarify mill levy limit for soil conservation districts	2008-31	Brendan	Referred to committee-12/20
<a href="#">SB 148</a>	Revise and clarify local government laws	2008-26	Peterson	Referred to committee-1/2
<a href="#">SJ 7</a>	Opposition to HR 2421	2008-08	Brendan	Referred to committee-12/23
<a href="#">LC0578</a>	Provide funding for court security	2008-11	Jent	Draft ready for delivery-12/30
<a href="#">LC0605</a>	Revise territory transfer laws relating to K-12 school dists.	2008-29	L. Jones	Draft to requester f/ review-12/24
<a href="#">LC0606</a>	Revise laws governing electric transmission lines	2008-12	L. Jones	Draft on hold-11/12
<a href="#">LC0629</a>	Clarify stream access from bridges/fencing	2004-11	Cooney	Draft ready for delivery-12/30
<a href="#">LC0659</a>	Authorize local governments to form investment pool	2008-30	Lewis	Draft on hold-11/19
<a href="#">LC0806</a>	Montana-based business technology districts	2008-38	Pomnichowski	Draft ready for delivery-12/30
<a href="#">LC0900</a>	County payment from hard rock mining trust account	2008-24	Story	Draft ready for delivery-12/30

## **MACo Resolutions/Legislation, cont.**

<b>No.</b>	<b>Title</b>	<b>Res. No.</b>	<b>Sponsor</b>	<b>Status-Date</b>
<a href="#">LC0919</a>	Revise drug testing requirements for public officers	2008-13	Gebhardt	Draft ready for delivery-1/2
<a href="#">LC0935</a>	Revise local government employee incentive program	2008-15	McClafferty	Draft to requester f/ review-12/23
<a href="#">LC0942</a>	Revise laws governing local subdivision regulations	2008-07	Brueggeman	Draft to requester f/ review-12/19
<a href="#">LC0943</a>	Revise impact fee laws	2008-19	Brueggeman	Draft ready for delivery-12/30
<a href="#">LC0998</a>	Revise laws relating to licensed establishments f/ health	2008-18	Kaufmann	Draft to requester f/ review-12/26
<a href="#">LC1047</a>	Include non-profit hospital employees in co. health plan	MACoHCT	Lewis	Draft request received-11/21
<a href="#">LC1089</a>	Funding for grants to counties under youth court act	2008-40	McChesney	Draft on hold-12/8
<a href="#">LC1342</a>	State PILT payment to offset state land purchases	2008-34	Bean	Draft on hold-12/10
<a href="#">LC1388</a>	Clarify law on absence by county officer	2006-07	Ankney	Draft to requester f/ review-12/26
<a href="#">LC1390</a>	Authorize counties to create compensated absence fund	2008-09	Ankney	Draft to requester f/ review-12/26
<a href="#">LC1922</a>	Clarify appt. of commissioners for regional airport authority	2008-03	Milburn	Draft request received-12/22
<a href="#">LC1936</a>	Create youth summer employment program		Branae	Draft request received-12/23

## **MACo Watch List**

<b>No.</b>	<b>Title</b>
SB 3	Revise procedures for Land Banking program sales and exchanges
SB 4	Create standing water policy subcommittee of EQC
SB 6	Revise public water supply fee law
SB 7	Code commissioner bill
SB 8	Authorize charter form of government for regional water entities
SB 9	Authorize funding of transportation systems with revenue bonds
SB 11	Clarify nontaxable amount of gross value of product -metal mines tax
SB 12	Clarify distribution of oil and gas revenue to counties
SB 17	Require public water and sewer systems for certain subdivisions
SB 18	Revise fiscal note laws
SB 20	Purpose statement for MAPA
SB 21	Clarify distribution of certain motor vehicle revenue
SB 22	Create water policy committee
SB 23	Revise revenue streams to oil, gas, and coal natural resource account
SB 24	Repeal Montana Consensus Council statutes
SB 29	Generally revise appropriation and budget statutes
SB 33	Include certain biomass generation facilities in renewable power act
SB 34	Extend boundary of community decay ordinances for fuel treatment
SB 35	Committing jurisdiction forward physical and mental health information to prison
SB 40	Clarify friend of respondent in involuntary commitment laws
SB 42	Provide substitution procedure for work comp judge
SB 44	Establish health policy council in legislative branch
SB 45	Clarify prosecutorial disclosure requirements
SB 48	Standardize statutes related to tax increment finance districts
SB 49	Energy efficiency standards for construction of state buildings
SB 50	Revise salaries for supreme court justices and district court judges
SB 51	Clarify responsibility of health care providers to patients
SB 52	Prohibit kickbacks and conflict of interest for health care providers
SB 53	Revise trial period for hearing aid purchased from traveling vendor
SB 55	Generally revise fertilizer laws
SB 56	Extend open meeting rights to members of homeowner and landowner associations
SB 60	Annual market conduct exams and 5-year financial exams for state fund
SB 61	Public school consideration in impact fees
SB 63	Tax incentives for volunteer EMTs and their employers
SB 64	License plate for volunteer EMT and tax credit
SB 65	Revise trust land funding laws
SB 66	Sequestration standards for carbon dioxide
SB 67	Require funding before school rules with fiscal impact implemented
SB 68	Roadkill composting
SB 71	Revise orphan share and environmental quality protection fund laws

## **MACo Watch List, cont.**

<b>No.</b>	<b>Title</b>
SB 74	Revise fire chief duties
SB 75	Include homeowner responsibility in state fire policy
SB 76	Revise enhanced recovery of oil and gas laws
SB 77	Volunteer EMT on board of medical examiners
SB 79	Reduced staffing for certain ambulance transports
SB 82	Clarify Medicaid third party liability
SB 83	Confidentiality protection for review of emergency service calls
SB 86	Revise gambling laws
SB 88	Revise and clarify school speed zone law
SB 89	Eliminate sunset for new worker training program
SB 92	Castle doctrine for use of force in defense
SB 93	Clarify groundwater utilization laws in closed basins
SB 94	Revise closed water basin permitting laws
SB 95	Temporary nutrient criteria for discharge permits
SB 96	Revise mental illness evaluations in criminal justice system
SB 97	Revise petroleum tank release laws
SB 98	Authorize local taxing jurisdiction for wildland fuel reduction projects
SB 99	Allow leave for state employee volunteer firefighters for incident response
SB 100	Increase coal board funding
SB 101	Certification for wastewater collection system operators
SB 102	Revise public water supply laws
SB 105	Tax incentives for volunteer firefighters and their employers
SB 106	License plates and tax credits for volunteer firefighters
SB 107	Require training on mechanized fuels reduction and fire suppression equipment
SB 109	Restriction on outdoor lighting
SB 110	Volunteer firefighter participation in county health insurance pool
SB 111	Clarifying DNRC initial wildland fire attack authority
SB 112	Remove allocation requirements for DNRC fire assessments
SB 113	State land fuel reduction pilot program
SB 116	Clarify aviation fuel tax distribution
SB 117	Revise or eliminate certain statutory appropriations
SB 118	Create invasive and destructive species council
SB 120	Revise the controlled groundwater area petition laws
SB 123	Revise MAPA regarding amendment of rationale
SB 124	Revise absentee ballot laws and changes caused by death of candidate
SB 127	Revise insurance producer licensing laws
SB 129	Fire management easement program
SB 131	Require DNRC to designate wildland-urban interface
SB 133	Revise insurance laws
SB 134	Require notice of compliance from associations offering health plans
SB 135	Revise insure Montana program
SB 137	Require insurers to notify insured of wildland-urban interface best practices
SB 138	Insurance Commissioner review of property insurers for fire protection purposes
SB 139	Fingerprints for misdemeanor offenses
SB 142	Repeal unisex insurance law provisions
SB 143	Revise condominium fire protection assessments
SB 144	Building standards for residences in wildland-urban interface
SB 145	Premium discounts in wildland-urban interface for certain property
SB 147	Revise the Comprehensive Environmental Cleanup and Responsibility Act
SB 149	Change of use for municipal or county water and sewer districts
SB 150	Revise unemployment insurance laws
SB 152	Revise motor vehicle registration and driver's license laws
SB 155	Require post-election audits of vote-counting machines
SB 156	Revise law to coordinate certain political candidate filing deadlines
SB 157	Audio-video hearings for certain mental health proceedings

## **MACo Watch List, cont.**

<b>No.</b>	<b>Title</b>
SJ 1	Joint legislative rules
SJ 5	Continued interim monitoring of health care pricing and information disclosure
SJ 10	Study options for state work comp coverage
SJ 11	Request Congress fund bio-product innovation centers
SR 1	Senate rules
HB 1	Feed bill for legislative session
HB 2	General appropriations act
HB 3	Supplemental appropriations
HB 4	Appropriations normally made by budget amendment
HB 5	Long-range building appropriations -- include energy conservation
HB 6	Renewable resource grants and loans
HB 7	Reclamation and development grants and loans
HB 8	Renewable resource bonds and loans
HB 9	Cultural and aesthetic grant appropriations
HB 10	Long range information technology funding bill
HB 11	Treasure State endowment appropriations
HB 12	Require employer contributions on working retirees under certain conditions
HB 13	Pay plan for state employees
HB 15	Fund K-12 education
HB 16	Allow election administrators to determine use of automarks at certain elections
HB 17	Revise requirements for administrative rules
HB 19	Revise and clarify state election laws
HB 20	Create weatherization account using oil and gas production tax
HB 22	Remove termination on coal tax for manufacturing, agriculture, and development
HB 26	Revise stream access at bridges
HB 27	Revise universal system benefit laws
HB 29	Increase funding for senior and disabled transportation account
HB 30	Youth election judges
HB 31	Include dispatchers in sheriffs' retirement system
HB 32	Increase benefits and contributions to firefighters' unified retirement system
HB 33	Redefine compensation for Firefighters Unified Retirement System
HB 34	Revise retirement statutes to address return to work issues and funding concerns
HB 35	Revolving loan program to fund recycling machinery and equipment
HB 36	Revise law on use of force and self-defense
HB 40	Revise water right permit process
HB 41	Revise water quality laws for aquifer recharge or mitigation
HB 42	Forest management program for FWP land
HB 43	Appropriation for DNRC participation in federal forest management planning
HB 44	Revise DNRC participation in federal forest management planning
HB 48	Revise laws relating to Growth through Agriculture program
HB 49	Restrict cell phone use and texting while driving
HB 50	Require rules be consistent with legislative intent
HB 51	Make state park fee opt in
HB 53	Revise laws regarding transportation of loose material
HB 54	Separate index for Montana Constitution
HB 56	Increase pupil transportation reimbursements
HB 59	Generally revise retirement laws to comply with federal changes
HB 60	Jail mental health crisis network standards pilot program
HB 61	Revise interlibrary program
HB 64	Repeal termination on coal trust funding for economic development programs
HB 65	Fund children management authorities for mental health
HB 66	Fund mental health needs of young children and certain high risk children
HB 67	Rulemaking authority for Board of County Printing
HB 70	Clarify application of exclusions from drug schedules

## **MACo Watch List, cont.**

<b>No.</b>	<b>Title</b>
HB 71	Repeal sunset of hospital bed tax
HB 76	Generally revise unemployment insurance laws
HB 77	Notification requirement for proposed gravel pit operations
HB 79	Uniform provisions for state land transactions
HB 81	Study long-term impacts of budget and demographics driving costs
HB 82	Revise deposit of stranded 911 revenue
HB 83	Professional retirement option for K-12 workforce
HB 84	Extend duration of fire emergency
HB 85	EMS grant program
HB 86	Fund health information technology and record sharing
HB 87	Provide increase in employer contribution to optional retirement program
HB 88	Revise close of late voter registration
HB 91	\$1 an hour raise for state employees
HB 92	Allow certain cities and counties to set speed limits
HB 93	Clarify EMS medical direction and handling of complaints
HB 95	Cost of care contributions under Youth Court Act
HB 98	Revise energy performance contracting for state buildings
HB 99	Revise proof of residency requirements for voter registration and voting
HB 101	Extend deadlines related to wage withholding in cases of theft
HB 104	Revise source of funding for pay for state active duty for firefighting
HB 105	Reporting of emergency room and hospitalization discharge data
HB 106	Revise law on delayed or amended birth certificates
HB 107	Revise definition of enterprise funds
HB 109	Generally revise retirement statutes
HB 111	Clarify roles of local advisory groups in mental health system
HB 113	Revise taxation of new or expanded business enterprise property
HB 114	Clarify licensure and liability in public health emergencies
HB 115	Expand cell phone property tax incentives
HB 116	Clarify proof of insurance for motor vehicles
HB 118	Revise distribution of 9-1-1 funds
HB 119	Revise employment laws, including workers compensation
HB 122	Revise false claims act
HB 124	Reopen GABA enrollment for firefighters
HB 129	Revise flood plain map adoption laws
HB 130	Grant program for local crisis services and jail diversion for mentally ill
HB 131	State contracting for mental health emergency detention beds
HB 132	Diversion from involuntary commitment to short-term inpatient treatment
HB 134	Create and fund local government committee
HB 136	Clarify appointment process for Board of Personnel Appeals
HB 138	Revise employment safety and occupational health acts
HB 139	DNRC intervention authority in federal forest management projects
HB 140	Increase excess sustained yield authority for forest health
HB 142	Eliminate automatic trigger that decreases employer contribution
HB 144	Clarify return to employment for public officers
HB 148	Clarify work comp going and coming to work status
HB 151	Revise breast reconstruction mandate to comply with federal law
HB 154	Make fire suppression fund permanent, fund and revise use
HB 155	Require state agencies to develop procedures to protect personal information
HB 158	Tribal eligibility for economic development loans
HB 159	Require actuarial opinion summary for domestic property and casualty insurers
HB 164	Extend fire suppression committee
HB 165	Statutory appropriation for wildfire emergencies
HB 166	Increase DOJ prosecutor for fish and game law violations to full-time attorney
HB 170	Ensuring tax qualification by IRS of certain retirement systems
HJ 2	Revenue estimating resolution

## **MACo Watch List, cont.**

<b>No.</b>	<b>Title</b>
HJ 3	Interim study of managed care mental health system
HJ 4	Urge authority for gubernatorial wildfire fuel hazard crisis
HJ 5	Support funding for health information technology
HJ 7	Urge modification of federal wildfire policy
HR 1	House rules